

AMENDED IN ASSEMBLY APRIL 23, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2544

Introduced by Assembly Member Roger Hernández

February 21, 2014

An act to add Section 42238.035 to the Education Code, relating to school finance.

LEGISLATIVE COUNSEL'S DIGEST

AB 2544, as amended, Roger Hernández. School finance: preschool funding.

Existing law establishes a public school system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires the Superintendent of Public Instruction to calculate, for each county superintendent of schools, school district, and charter school, a base entitlement for the transition to the local control funding formula that includes, among other things, the sum of the amount of funding received from appropriations contained in certain budget items of the Budget Act of 2012.

This bill would establish the school district and charter school preschool funding formula. The bill would require the Superintendent, commencing with the 2015–16 fiscal year, and each year thereafter, to calculate and ~~apportion~~, *apportion* a preschool funding grant *pursuant to a specified funding formula* for each school and charter school *that offers kindergarten or first grade in the state pursuant to a specified funding formula*. ~~state~~. The bill would require the school district and charter school to use the money to fund either existing or startup preschools in the district or at the charter school. The funding formula

would ~~be provide for supplemental funding~~ based on the number *and concentration* of 4 year olds ~~who reside enrolled~~ in a school district who are economically disadvantaged, ~~an English learner, learners,~~ or a foster youth, as defined, or a combination thereof, as provided by each school district.

By imposing new mandates on a school district, the bill would establish a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42238.035 is added to the Education
2 Code, to read:
3 42238.035. (a) The amount computed pursuant to this section
4 shall be known as the school district and charter school preschool
5 funding formula.
6 (b) For purposes of this section, the following terms have the
7 following meanings:
8 (1) “Economically disadvantaged child” means a child that is
9 eligible to receive a free or reduced-price meal pursuant to Section
10 49552.
11 (2) “English learner” has the same meaning as it does in Section
12 52164.
13 (3) “Foster youth” has the same meaning as it does in Section
14 300 and 601 of the Welfare and Institutions Code.
15 (c) (1) Commencing with the 2015–16 fiscal year and each
16 fiscal year thereafter, the Superintendent shall annually calculate
17 a preschool funding grant *pursuant to this section* for each school
18 district and charter school in the state ~~pursuant to this section, that~~
19 *offers kindergarten or first grade*, equal to the base grant calculated
20 pursuant to subparagraph (A) of paragraph (1) of subdivision (d)
21 of Section 42238.02. The school district and charter school shall

1 use the money to fund either existing or startup preschools in the
2 school district or at the charter school.

3 (2) For purposes of making the calculations in subdivisions (d)
4 and (e), the Superintendent shall use information obtained from
5 each school district on the number of economically disadvantaged
6 children, English learners, and foster youth who are four years old
7 at the time of making the calculation and ~~residing~~ *enrolled* in the
8 school district.

9 (3) For purposes of calculating the grant pursuant to this section,
10 a child may be counted more than once if the child meets more
11 than one of the definitions in subdivision (b).

12 (d) The Superintendent shall compute a supplemental preschool
13 grant add-on equal to 35 percent of the base grant as specified in
14 subdivision (c) for each school district's percentage of four year
15 olds ~~residing~~ *enrolled* in the district, or in the case of a charter
16 school, the percentage of four year olds ~~residing~~ *enrolled* in the
17 school district in which the charter school is physically located,
18 in each of the categories specified in subdivision (b). The
19 supplemental preschool grant shall be calculated by multiplying
20 the base grants specified in subdivision (c) by 35 percent and by
21 the sum of the percentages of four year olds in the categories
22 specified in subdivision (b) in that school district. For purposes of
23 calculating the grant for a charter school physically located in more
24 than one school district, the Superintendent shall use the school
25 district with the highest number of four year olds ~~residing~~ *enrolled*
26 in the school district where the charter school is physically located.

27 (e) The Superintendent shall compute a concentration preschool
28 grant add-on equal to 35 percent of the base grant as specified in
29 subdivision (c) for each school district's percentage of four year
30 olds ~~residing~~ *enrolled* in the district, or in the case of the charter
31 school, the percentage of four year olds ~~residing~~ *enrolled* in the
32 school district in which the charter school is physically located,
33 in each of the categories specified in subdivision (b). The
34 concentration preschool grant shall be calculated by determining
35 the amount by which the sum of these percentages exceeds 50
36 percent and by multiplying the base grant as specified in
37 subdivision (c) by 35 percent and by any positive percentage so
38 determined. For purposes of calculating the grant for a charter
39 school physically located in more than one school district, the
40 Superintendent shall use the school district with the highest number

1 of four year olds ~~residing~~ *enrolled* in the school district where the
2 charter school is physically located. For a charter school physically
3 located in only one school district, the percentage of four year olds
4 in excess of 50 percent used to calculate concentration preschool
5 grants shall not exceed the percentage of four year olds in excess
6 of 50 percent of the school district in which the charter school is
7 physically located. If the charter school is physically located in
8 more than one school district, the charter school's percentage of
9 four year olds in excess of 50 percent used to calculate
10 concentration preschool grants shall not exceed that of the school
11 district with the highest percentage of four year olds in excess of
12 50 percent within the charter school's physical location.

13 (f) The Superintendent shall apportion funding to a school
14 district and charter school equal to the sum of the amounts
15 computed pursuant to subdivisions (c), (d), and (e), multiplied for
16 each school district and charter school by the number of
17 four-year-old children served by each.

18 SEC. 2. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.